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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
TIMOTHY CRAIG, )  
 )  
Defendant. )

No. CR 08-0329 JSW

**DECLARATION OF DETECTIVE  
JOSEPH JONES**

Hearing Date: September 25, 2008  
Time: 2:30 p.m.

I, Joseph Jones, declare as follows:

**Training, Education, and Experience**

1. I am a Detective with the Napa County Sheriff's Department and have eight years of law enforcement experience. I am currently assigned to the Napa County Sheriff's Department, Investigations Division. One of my areas of responsibility and training is the investigation of

DECL. OF JOSEPH JONES  
CR 08-0329 JSW

1 computer crimes, including the investigation of crimes involving the manufacturing, possession,  
2 transportation, and distribution of child pornography.

3 2. In 2005 for a term of approximately one year, I was assigned to the Northern California  
4 Computer Crimes Task Force. In that position, I was trained by the California Department of  
5 Justice in computer forensics and how to identify the characteristics of images that are child  
6 pornography. I have participated in training by both the National Center for Missing and  
7 Exploited Children (NCMEC) and the Internet Crimes Against Children (ICAC) Task Force in  
8 the last three years. I have participated in hundreds of investigations involving manufacturing,  
9 possession, transportation, and distribution of pornographic images of children. I have also  
10 assisted in contacting, tracking, and supervising registered sex offenders who reside in Napa  
11 County. I have also worked with many other local, state, and federal law enforcement agencies,  
12 including approximately fifteen investigations with the Department of Homeland Security,  
13 Immigration and Customs Enforcement (ICE).

14 3. I received an Associate of Science degree in Administration of Justice from Napa Valley  
15 College and graduated from the Butte College Basic Law Enforcement Academy.

16 **Investigation of Timothy Craig**

17 4. The following information is provided to the Court as a result of my personal knowledge  
18 and observations in the investigation of TIMOTHY CRAIG.

19 5. In July 2007, I received information from ICE agents that an individual in Ohio, LEE  
20 SLY, had received child pornography by email. I also learned from ICE agents that an  
21 individual, identified as Richard Darkey and using the screen name [SIRIOUT3@aol.com](mailto:SIRIOUT3@aol.com) was  
22 involved in trading child pornography over the internet.

23 6. I learned from ICE agents that on March 1, 2007, agents served America Online with a  
24 federal search warrant for SLY's email account number. I learned from ICE agents that  
25 TIMOTHY CRAIG was a suspect in their investigation, based on the results of this search  
26 warrant, in that "at least one image or movie file of child pornography" was "received,  
27 forwarded, and/or traded by each target in January and February of 2007." (Statement of Prob.  
28 Cause P. 2:18-19) Furthermore, I learned from ICE agents that one message, #223, in Sly's

1 “sent” folder, was sent to a user known as “Limosdude,” and that user was known from the ICE  
2 investigation to be TIM CRAIG, 3271 Beard Road, Napa, CA 94558, 707-257-1282.

3 7. ICE Special Agent Charles DeMore then summonsed records from Pacific Gas & Electric  
4 for records of service at 3271 Beard Road, Napa. Those records indicated a customer name of  
5 “Tim Craig” and phone number 707-257-1282.

6 **CRAIG is a Registered Sex Offender**

7 8. Before submitting the search warrant application, I conducted further investigation and  
8 learned that TIMOTHY CRAIG is a registered sex offender under California Penal Code Section  
9 290. I did further research in law enforcement databases and learned that he had a conviction for  
10 attempted child molestation in Los Angeles County and also was a defendant in a 2002  
11 prosecution in San Mateo County that involved the luring of a 13-year old girl, played by an  
12 undercover police officer from Daly City Police Department. I understood that the 2002  
13 prosecution did not result in a conviction.

14 **Image # 223**

15 9. Before submitting the search warrant application, I reviewed the image, #223, that had  
16 been identified by ICE agents as child pornography. Based on my training and experience, I  
17 agreed with the ICE agents that image #223 was child pornography. I understand that a copy of  
18 image #223 will be filed under seal with the Court, so will not describe it further here. In my  
19 analysis, the photo showed a lewd and lascivious exhibition of the genitals and pubic and rectal  
20 areas of two female children, for the purpose of sexual stimulation of the viewer. Aspects of the  
21 image I considered were the setting, focal point of the image, the clothing, what the girls’  
22 positioning suggests, the footer “www.vladmodels.ru” on the image, and what the image was  
23 intended to do for the viewer. I did not show Image #223 to Judge Anton.

24 **Search Warrant Application**

25 10. On August 7, 2007, at 11:15 a.m., I submitted the Search Warrant and Statement of  
26 Probable Cause in the matter of Timothy Craig for review before Judge (Ret.) John N. Anton,  
27 sitting in the Napa County Superior Court of California. I understood he was a visiting Judge. I  
28 had never before met Judge Anton.

1 11. Copies of the three page Search Warrant and five page Statement of Probable Cause are  
2 attached to the defendant's brief.

3 12. I understand there is a question as to whether the Attachments to the Search Warrant and  
4 Statement of Probable Cause were presented to Judge Anton. The Attachments are Exhibit "B"  
5 to defendant's motion. My recollection is that I submitted all the materials in Exhibit B to Judge  
6 Anton before he approved the Search Warrant. I remember taking the materials to him held  
7 together by a fat binder clip. On the other hand, I see that on Page 4 of the Statement of Probable  
8 Cause, in the boxes for "Items attached and incorporated by Reference," there are marks in both  
9 the YES and NO boxes. I do not remember who made the marks in the YES and NO boxes, or  
10 when they were made. It appears to me that the NO box is filled in by handwriting.

11 13. I sat with Judge Anton for 20-30 minutes in his chambers while he reviewed the Search  
12 Warrant, Statement of Probable Cause, and Attachments. He had a few questions, but I do not  
13 remember what they were.

14 14. I witnessed Judge Anton sign the Search Warrant after he reviewed the Search Warrant,  
15 Statement of Probable Cause, and Attachments.

16 15. On August 8, 2007, I executed the search authorized by the Search Warrant. I was  
17 accompanied by Napa County Sheriff's Detectives and ICE agents. We seized approximately 30  
18 items of evidence.

19  
20 I declare under penalty of perjury that the foregoing declaration is true and correct.

21  
22 Executed on August 25, 2008

23 /s/

24 \_\_\_\_\_  
Joseph Jones  
Detective  
Napa County Sheriff's Department  
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